

## Regulatory Text

Subsection (c)(2) of Section 120.7, Title 14, CCR is amended to read:

(2) Applications for renewal of sea urchin diving permits shall be received by the department or, if mailed, postmarked no later than ~~June 30~~ April 30 of each permit year. Each application must be accompanied by evidence that the qualification requirements specified in this subsection have been met. Applications received by the department or, if mailed, postmarked after ~~June 30~~ April 30 and before ~~August 1~~ June 1 will be assessed a \$50 late fee. Applications received by the department or, if mailed, postmarked after ~~July 31~~ May 31 will not be considered.

Subsection (d)(2) of Section 120.7, Title 14, CCR is amended to read:

~~(2) If the number of diving permits issued to prior permittees is more than 300, the~~ The total number of new sea urchin diving permits available for issuance shall be one-tenth the difference between the total number of sea urchin diving permits issued prior to August 1 of the current permit year and the total number of sea urchin permits issued during the immediately preceding permit year. ~~If the number of diving permits issued to prior permittees is less than 300, the number of new sea urchin diving permits to be issued shall be the difference between the number of diving permits issued to prior permittees and 300. If the number of permits issued to prior permittees is 300, no new sea urchin diving permits shall be available.~~

Subsection (e) of Section 120.7, Title 14, CCR is amended to read:

(e) New Permittees:

(1) Applications for the issuance of any new sea urchin diving permits that may become available each year shall be received by the department or, if mailed, postmarked no later than June 30. Applications shall be submitted to the department's License and Revenue Branch, ~~3211 S Street, Sacramento, CA 95816~~ at the address specified on the application form. If any new sea urchin diving permits are available for issuance, as provided in subsection (d)(2), they shall be issued to licensed commercial fishermen who held, for each of the two immediately preceding permit years, a valid sea urchin crewmember permit.

(2) If there are more applicants for sea urchin diving permits than there are permits available, a drawing will be held to determine which applicants will be eligible to purchase permits. Any person who submits more than one application for a new sea urchin diving permit in any one permit year will be excluded from the drawing. Each applicant who meets the criteria in subsection (e)(1) shall be entered into the drawing once. In addition, each applicant shall be entered into the drawing one more time for each additional year, above the minimum required two years, that the applicant

possessed a valid sea urchin crewmember permit. No applicant shall be entered more than five times for each drawing. The drawing will be held on the third Wednesday in August each year. Permits will be issued to successful applicants in the order drawn. Payment of the fee for the sea urchin diving permit must be received at the department's License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 at the address specified on the application form on or before September 25.

Subsection (l) of Section 120.7, Title 14, CCR is amended to read:

**Option one:**

(l) Fishing Season.

(1) From November 1 through March 31 the open season for red sea urchins is seven days per week.

(2) In April, May, September and October, in all Fish and Game districts except 6, 7 and 10, the open season for red sea urchins is Monday, Tuesday, Wednesday and Thursday. In April, May, September and October, in Fish and Game districts 6, 7 and 10, the open season for red sea urchins is any four days of each calendar week, Monday through Friday. Every permittee fishing for red sea urchins in districts 6, 7 and 10 shall retain on board the vessel a copy of every landing receipt issued to him/her during the immediately preceding and then current week. Every diver who has taken sea urchins on four days in a week shall not be present on board any vessel taking or possessing sea urchins for commercial purposes in the remainder of that week.

(3) In June, July and August, in all Fish and Game districts except districts 6, 7 and 10, the open season for red sea urchins is Monday, Tuesday, and Wednesday. In June, July and August, in Fish and Game districts 6, 7 and 10, the open season for red sea urchins is any three days of each calendar week, Monday through Friday. Every permittee fishing for red sea urchins in districts 6, 7 and 10 shall retain on board the vessel a copy of every landing receipt issued to him/her during the immediately preceding and then current week. Every diver who has taken sea urchins on three days in a week shall not be present on board any vessel taking or possessing sea urchins for commercial purposes in the remainder of that week.

(4) ~~In July the season for red sea urchins is Monday and Tuesday.~~

(5) During any closed period, in all Fish and Game districts except districts 6, 7 and 10, no red sea urchins may be possessed on any commercially registered vessel, except that any commercially registered vessel may transport red sea urchins after any closure goes into effect, provided that the vessel is in port no later than 0800 hours on the first day of the closed period.

**Option two:**

(l) Fishing Season.

(1) From November 1 through March 31 the open season for red sea urchins is seven days per week.

(2) In April, May, September and October, in all Fish and Game districts except 6, 7 and

10, the open season for red sea urchins is Monday, Tuesday, Wednesday and Thursday. In April, May, September and October, in Fish and Game districts 6, 7 and 10, the open season for red sea urchins is any four days of each calendar week, Monday through Friday. Every permittee fishing for red sea urchins in districts 6, 7 and 10 shall retain on board the vessel a copy of every landing receipt issued to him/her during the immediately preceding and then current week. Every diver who has taken sea urchins on four days in any week shall not be present on board any vessel taking or possessing sea urchins for commercial purposes in the remainder of that week.

(3) In June, July and August, in all Fish and Game districts except districts 6, 7 and 10, the open season for red sea urchins is Monday, Tuesday, and Wednesday. In June, July and August, in Fish and Game districts 6, 7 and 10, the open season for red sea urchins is any three days of each calendar week, Monday through Friday. Every permittee fishing for red sea urchins in districts 6, 7 and 10 shall retain on board the vessel a copy of every landing receipt issued to him/her during the immediately preceding and then current week. Every diver who has taken sea urchins on three days in any week shall not be present on board any vessel taking or possessing sea urchins for commercial purposes in the remainder of that week.

(4) In July the season for red sea urchins is Monday and Tuesday.

(5) During any closed period, in all Fish and Game districts except districts 6, 7 and 10, no red sea urchins may be possessed on any commercially registered vessel, except that any commercially registered vessel may transport red sea urchins after any closure goes into effect, provided that the vessel is in port no later than 0800 hours on the first day of the closed period.

(5) This subsection shall remain in effect only until April 1, (2008 or 2009 or 2010) and as of that date is repealed.

(f) Fishing Season. This subsection shall take effect on April 1, (2008 or 2009 or 2010) and is of no force or effect until that date.

(1) From November 1 through March 31 the open season for red sea urchins is seven days per week.

(2) In April, May, September and October the open season for red sea urchins is Monday, Tuesday, Wednesday and Thursday.

(3) In June, July and August the open season for red sea urchins is Monday, Tuesday, and Wednesday.

(4) During any closed period, no red sea urchins may be possessed on any commercially registered vessel, except that any commercially registered vessel may transport red sea urchins after any closure goes into effect, provided that the vessel is in port no later than 0800 hours on the first day of the closed period.

Note: Authority cited: Sections 1050, 9054 and 9055, Fish and Game Code. Reference: Sections 1050, 7850, 7852.2, 7857, 9054 and 9055, Fish and Game Code.